

RECEIVED
CENTRAL FAX CENTER
SEP 03 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/627,119 Confirmation No.: 3915
Applicant(s): Gary W. DiTroia
Filed: 07/24/2003
Art Unit: 3729
Examiner: Trinh, Minh N.
Title: Electrical Connector For Angled Conductors
Attorney Docket No.: 003B.0033.U2 (US)
Customer No.: 29,683

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response To Restriction

Sir:

This is in response to the restriction office action mailed 08/18/2004 in regard to the above-identified patent application. Applicant's attorney hereby elects Group I (claims 11-16 and 20-23) with traverse.

Class 29, subclass 857 is for "METAL WORKING, METHOD OF MECHANICAL MANUFACTURE, Electrical device making, Conductor or circuit manufacturing, Assembling terminal to elongated conductor".

Class 29, subclass 825 is for "METAL WORKING, METHOD OF MECHANICAL MANUFACTURE, Electrical device making, Conductor or circuit manufacturing".

The examiner stated that the claims of Groups I and II are related as subcombinations disclosed as usable together in a single combination. This is incorrect. In the present case,

Appl. No.: 10/627,119.
Reply to Office Action of: 8/18/2004

all the claims are directed to "A method of manufacturing an angled conductor electrical connector ..." They are not subcombinations.

Claims 11, 20 and 24 all relate to the single embodiment shown in Figs. 1-4. The examiner's attention is directed to MPEP §806.03 which states that:

"Where the claims of an application define the same essential characteristics of a single disclosed embodiment of an invention, restriction therebetween should never be required. This is because the claims are but different definitions of the same disclosed subject matter, varying in breadth or scope of definition."

Thus, regardless of whether or not the claims might be classified in different subclasses, and regardless of the burdensomeness of the search required by the examiner, restriction should not be required where the claims define the same essential characteristics of a single disclosed embodiment. It also should be pointed out that dependent claims 14 and 15, and 21 and 22 recited "removing" and "bending". Therefore, there is no justifiable reason to restrict out claim 24 because it has "removing" and "bending" recited in it. It appears that the examiner will have to examine class 29, subclass 825 anyway in order to properly examine claims 14, 15, 21 and 22.

Claims 11, 20 and 24 vary in scope, but they all relate to the single embodiment shown in Figs. 1-4. Thus, claims 11, 20 and 24 are but different definitions of the same disclosed subject matter, varying in breadth or scope of definition. The examiner is requested to reconsider his restriction.

Appl. No.: 10/627,119.
Reply to Office Action of: 8/18/2004

Should any unresolved issue remain, the examiner is invited to call applicant's attorney at the telephone number indicated below.

Respectfully submitted,

Mark F. Harrington
Mark F. Harrington (Reg. No. 31,686)

9/3/04
Date

Customer No.: 29683
Harrington & Smith, LLP
4 Research Drive
Shelton, CT 06484-6212
203-925-9400

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

9/3/04
Date

Ann Olrentreich
Name of Person Making Deposit